

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EARNEST SCOTT, JR.

CIVIL ACTION

v.

PHILADELPHIA DEPARTMENT OF  
PRISONS, WARDEN GERALD MAY,  
C/O CARMONA, C/O COFIELD, C/O  
LAWRENCE, and MAJOR BELLA

NO. 18-71

ORDER

**NOW**, this 3rd day of April, 2019, upon consideration of the Defendants' Motion to Dismiss for Failure to State a Claim (Document No. 66) and the plaintiff's response, it is ORDERED that the motion is **GRANTED IN PART** and **DENIED IN PART**.

**IT IS FURTHER ORDERED** that the plaintiff is granted leave to file an amended complaint with respect to his failure to train claim only no later than **April 19, 2019**.

/s/TIMOTHY J. SAVAGE